

Panaji, 2nd May, 2002 (Vaisakha 12, 1924)

SERIES II No. 5

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note:- There is One Extraordinary issue to the Official Gazette, Series II, No. 4 dated 25-4-2002 as follows:-

- 1) Extraordinary dated 26-4-2002 from pages 65 to 66 regarding Notifications from Department of Home (Home-General Division).

22-4-2002 or till the post is filled up on regular basis whichever is earlier.

By order and in the name of the Governor of Goa.

R. P. Pal, Director of Technical Education & Special Secretary (Hr. Edn.).

Panaji, 16th April, 2002.

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 2/12/98-AGR/527

Read: Order No. 2/12/98-AGR/102 dated 29-12-2000.

Consequent upon the resignation tendered by Shri Hanumant V. Naik from the post of Board of Directors of Goa State Horticultural Corporation Ltd., Panaji-Goa with effect from 22-11-2001 Shri Baburao S. Fotto Dessai, resident of Bansai, Curchorem is appointed as Director of Board of Goa State Horticultural Corporation Ltd., Panaji with immediate effect.

W. M. Khade, Director of Agriculture and Ex-Officio Joint Secretary.

Panaji, 19th April, 2002.

Department of Education, Art & Culture

Directorate of Technical Education

Order

No. 16/1/88/EDN/Col/1134

The ad hoc appointment of Shri M. N. Raikar, Head of Dept. (Mech. Engg.) in Government Polytechnic, Panaji is hereby extended for further period of six months w.e.f.

Department of Home

Home-General Division

Notification

No. 2/86/82-HD(G)

In exercise of the powers conferred by sub-clause (d) of Clause (8) of section 2 of the Official Secrets Act, 1923 (Central Act 19 of 1923) (hereinafter called the "said Act"), read with Notification No. II/21019/2/89-IS(US. DII) dated 21-8-1989 of the Government of India, Ministry of Home Affairs, New Delhi, the Government of Goa, hereby declares the entire yard of the Goa Shipyard Limited as well as total area on waterfront in front of Goa Shipyard Limited shoreline, falling within an imaginary line drawn between the two hillocks surrounding Goa Shipyard Limited from east and west directions, passing through a point fixed at 100 metres, to be a prohibited place for the purpose of the said Act, for the period of five years only from the date of issue of this Notification.

This Notification supersedes Government Notification No. 2/86/82-HD (G) dated 24-5-2001, published in the Official Gazette, Series III No. 10, dated 7-6-2001.

By order and in the name of the Governor of Goa.

A. Mascarenhas, Under Secretary (Home).

Panaji, 23rd April, 2002.

Department of Law & Judiciary

Legal Affairs Division

Notification

No. 10/4/2002-LA

The following orders received from the Government of India, Ministry of Mines, Department of Mines, the Controller of Mining Leases for India, Nagpur, under Rule 6 of the Mining Leases (Modification of Terms) Rules, 1956, are hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 15th January, 2002.

GOVERNMENT OF INDIA

MINISTRY OF MINES

DEPARTMENT OF MINES

Case No. CML/Z - 490/2001

Order

[Under Rule 6 of the Mining Leases (Modification of Terms) Rules, 1956]

WHEREAS a case was registered for the modification of terms of a *mineral mining lease dated 18-1-1956 (1/56) for* Iron Ore held by Shri Castano Francisco Cipriano De Souza, Mine Owner, Sanquelim, Goa C/o SMI, Salgaocar Chambers, Vasco (Goa) for Pmt. period Area 97.9560 Hectares in village(s) Nirancal, Tah: Ponda of Goa State.

AND WHEREAS an enquiry has been made, as laid down in the Mining Leases (Modification of Terms) Rules, 1956.

2. It is hereby ordered under rule 6 of the aforesaid Rules that terms and conditions of the above lease shall stand modified as follows:-

- (i) Area: The area of the lease is limited to 97.9560 hectares only.
- (ii) Period: No change is made as the period of the lease(s) is already modified as per provisions of Goa, Daman & Diu Mining Concessions (Abolitions & Declaration as Mining Leases) Act, 1987.
- (iii) The following clause shall be deemed to be inserted in the lease deed and shall form part thereof :-

"Except for the modifications made by this order, the lease shall be subject to the rules made or deemed to have been made under Sections 13 and 18 of the Mines & Minerals (Regulation & Development) Act, 1957 (No. 67 of 1957)."

3. It is clarified that royalty and dead rent shall be payable in accordance with Section 9 and 9A of the Mines & Minerals (Regulation & Development) Act, 1957 respectively instead of according to the stipulations in the lease deed.

4. It is further clarified that the lessee shall also pay, for the surface area used by him for the purposes of mining operations, surface rent at such rate, as may be specified by the State Government under the Mineral Concession Rules, 1960.

5. This order shall take effect from the date of this order.

6. It is ordered that this order be published in the Official Gazette of Goa State and copies thereof be sent to the lessee and the State Government.

Sd/-

Nagpur:
Dated the 21-6-2001.

(C. P. Ambesh)
Controller of Mining
Leases for India.

NOTE EMBODYING THE FACTS OF CASE, PLEAS OF THE PARTIES & REASONS FOR THE ORDER

Case No. CML/Z-490/2001 Order dated 21-6-2001

Name of the lessee	: Shri Castano Francisco Cipriano De Souza, Mine owner, Sanquelim, Goa. C/o SMI, Salgaoncar Cham- bers, Vasco, Goa.
Date of the lease	: 18-1-1956 (1/56)
Mineral(s)	: Iron Ore
Area and Location	: 97.9560 hecets. Vill.: Nirancal Tah.: Ponda.
Period	: Unlimited

Apart from the insertion of the general clause, the following was the proposal contained in the show cause notice(s) issued to the lessee for modification of the mining lease(s) referred to above:

- iii) Area: To be reduced to ten square kilometres as required under Section 6 of Mines and Minerals (Regulation & Development) Act, 1957.
- iv) Period: To be reduced to two years counting from the date of the modification order, passed under Rule 6 of Mining Leases (Modification of Terms) Rules, 1956.

2. In pursuance of rule 6 of the Mining Leases (Modification of Terms) Rules, 1956, the show cause notice containing the proposals for modification of the above mentioned mining lease was sent to the lessee - Shri Castano Francisco Cipriano De Souza, Goa. and the lessor - the Government of Goa, calling upon them to show cause why such modifications/alterations should not be made in the mining lease deed dated 18-1-1956 held by the lessee.

3. The case was also taken up for hearing on 26-6-2000 at Goa for enabling both the parties to put forward their case.

4. The lessee has neither appeared on the time and date of hearing at Goa nor deputed his representative for the purpose. The lessee has also failed to furnish returns within the stipulated time under sub-rule (1) of Rule 5 of Mining Leases (Modification of Terms) Rules, 1956 as directed under show cause notice dated 8-5-2000. However, no representative of the State Govt. (Lessor) was also present on the date of hearing at Goa.

5. It would be relevant to mention—

- i) that according to the Goa Govt. notification dated 30th Sept.' 1963 and 4th Jan.' 1966 the Mines and Minerals (Development & Regulation) Act, 1957 became applicable to Goa w. e. f. 1st Oct.' 1963 and Section 16 of the said Act was made applicable to Goa w. e. f. 15th Jan.' 1966 which confer powers to Controller of Mining Leases for modification of mining lease(s) of Goa under Section 16 of the Mines and Minerals (Development & Regulation) Act, 1957 and the rules made thereunder.
- ii) that vide an ad-interim order dated 2-3-98 of the Hon'ble Supreme Court of India in a SLP filed by lessee(s) of Goa, Hon'ble Supreme Court of India has permitted the appellants to carry on mining operations and mining business in the mining area for which renewal applications have been made on the condition that the appellants shall pay to the respondents from the date of commencement of the impugned Act all the amount of dead rent, royalty as now stipulated by the respondents under the impugned Act without prejudice and under protest. The appellants will also comply with all other conditions. As regards the period from 1961 till the coming into force of the impugned Act, it will be opened to the respondents to take proceedings for assessment of the amount payable by the appellants but no recovery shall be made without further orders from the court.

Therefore, the existing mining lease(s) of State of Goa may be modified as Section 16 of Mines and Minerals (Development and Regulation) Act, 1957 is applicable to lease(s) of Goa and also no restraint is put by the order of the Hon'ble

Supreme Court of India for control of modification of terms of the existing mining lease(s) to bring in conformity with the provisions of the Mines and Minerals (Development & Regulation) Act, 1957 and the rules made thereunder.

6. Further, the lessee(s) failed to furnish returns within the stipulated time under sub-rule 1 of Rule 5 of the Mining leases (Modification of Terms) Rules 1956 and also failed to appear before Controller of Mining Leases on 26-6-2000 the date fixed for hearing at Goa as required under sub-Rule (13) of Rule 6 of Mining Leases (Modification of Terms) Rules, 1956. Under the circumstances, there is no alternative than to proceed ex-parte for modification of the lease(s) on the basis of information available with this office to bring lease(s) into conformity with the Mines and Minerals (Development & Regulation) Act, 1957 and the rules made thereunder.

7. Keeping aforesaid facts in view, my findings are given hereunder:

- i) that the area of the lease(s) should be modified without affecting the area under active mining operation and total area of lease(s) acquired by a lessee should not be more than the area prescribed under Mines and Minerals (Development & Regulation) Act, 1957.

In this case, the total area of lease(s) should be limited to 10 sq. km.

- ii) that the period of lease(s) should be modified and the maximum period of the lease(s) should not be more than the period prescribed under Mines and Minerals (Development and Regulation) Act, 1957.

In this case, the period of the lease(s) is not modified as the same is already modified as per the provisions of the Goa, Daman & Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987.

Thus the order passed accordingly.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-171/2001

The following mining lease(s) in respect of Shri Harichand Saunvlo N. Tari, Mine Owner, Sanguem, Goa has been registered in this Office for modification as per provisions of the Mines & Minerals (Development & Regulation) Act, 1957, and the rules made thereunder:—

Sr. No.	Case No.	TC No. & Date	Denomination of the Mine	Location Vill/Taluka/ District	Mineral	Area in Hects.
1.	Z-171	21/52 dt. 29.2.52	Vagamollo fodaquir etc.	Vill: Vichundrem Tah: Sanguem	Fe/Mn	60.6502
2.	Z-106	26/51 6.4.51	Sadezamotil Rica	Vill: Cumbari Tah: Sanguem	Fe/Mn	83.3000
						Total: 143.9502

02. This Office has issued show cause notice(s) to Shri Harichandra Saunvlo N. Tari, Mine Owner, Goa under rule 6 of Mining Leases (Modification of Terms) Rules, 1956, for Modification of above mining lease(s) vide letter No CML/Z-171 (Title No. 21/52) and No. CML/Z-106 (Title No. 26/51) dated 21.1.2000 endorsing a copy of these show cause notice(s) to the State Govt. of Goa, Industries & Mines Deptt. Panjim, Goa (Lessor). The hearing of above cases was fixed at Goa on 21.2.2000. The lessee did not appeared on the date of hearing nor deputed his representative.

03. However, a list from the State Government of Goa vide their letter No. 101/65-99-Mines/814 dt. 13.4.2000 was received intimating the lessee(s) who did not file applications in Form 'J' for renewal of their leases consequent upon the enactment of Goa, Daman & Diu Concessions (Abolition and Declaration as Mining Leases) Act, 1987 and deemed rejected. On examination of this list, it is observed that the above mentioned lease(s) falls under the category of deemed rejection.

It is, therefore, on the basis of information received from the State Government of Goa (Lessor), regarding rejection/surrender of the said mining lease(s) covering total area 143.9502 hect., it is hereby the case is closed and filed from this end.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-93/2001

The following mining lease(s) in respect of Shri Francisco C.J. Sequira, Mine Owner, Post box No. 201 Panjim, Goa, has been registered in this office for modification as per provisions of the Mines & Minerals (Development and Regulation) Act, 1957, and the rules made thereunder:

- | | |
|----------------------------|-------------------|
| 1. Case No. | : CML-Z-93 |
| 2. TC. No. & Date of lease | : 12 of 26.2.1951 |

- | | |
|-------------------------|--|
| 3. Denomination of Mine | : Gorditembo |
| 4. Location | : Vill: Netorlim
Tal: Sanguem
Distt: Goa |
| 5. Mineral | : Fe/Mn |
| 6. Area | : 46.5280 Hects. |

02. This Office has issued show cause notice(s) to Shri Francisco C. J. Sequira, Mine Owner, Post Box No. 201, Panjim, Goa, under rule 6 of Mining Lease (Modification of Terms) Rules, 1956, for modification of the above mining lease(s) vide letter No CML/Z-93 (TC No. 12/51) dated 21.1.2000 endorsing a copy of this show cause notice(s) to the State Government of Goa, Industries & Mines Deptt, Panjim, Goa (Lessor). The above show cause notice(s) was received by the Lessee, on 24.1.2000.

03. However, this office has received a list of rejected leases from the State Government of Goa vide their letter No. 101/65-99-Mines/814 dated 13.4.2000. On examination of this list, it is observed that the lessee did not file application in form 'J' for renewal of leases consequent upon the enactment of Goa, Daman & Diu Concessions (Abolition and Declaration as Mining Leases) Act, 1987 and deemed rejected.

It is, therefore, on the basis of information received from the State Government of Goa (Lessor) regarding rejection/surrender of the said mining lease(s) covering an area 46.5280 hect. it is hereby the case is closed and filed from this end.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-282/2001

The following mining lease(s) in respect of Shri Harish Narayan Prabhu Zantye, Mine Owner, Prop Hira Talkies, Bicholim, Goa has been registered in this office for modification as per provisions of the Mines & Minerals (Development and Regulation) Act, 1957, and the rules made thereunder:

1. Case No.	: CML/Z-282
2. Title No. & Date of lease	: 29 of 24.4.1953
3. Denomination of Mine	: Conosin voril Gonosi achedutivoril dongrachem Cutumbonn, etc.
4. Location	: Vill: Sarvona Tal: Bicholim Distt: Goa
5. Mineral	: Fe/Mn
6. Area	: 68.4600 Hects.

02. This Office has issued show cause notice(s) to Shri Harish Narayan Ganesh Prabhu Zantye, Mine owner, Prop. Hira Talkies, Bicholim, Goa, under rule 6 of Mining Lease (Modification of Terms) Rules, 1956, for modification of the above mining lease(s) vide letter No. CML/Z-282/2000 (T.C. No. 29/53) dated 26.11.99 endorsing a copy of this show cause notice(s) to the State Government of Goa, Industries & Mines Deptt, Panjim, Goa (Lessor). The above show cause notice(s) was received by the Lessee, on 1.12.99.

03. However, this office has received a list of rejected leases from the State Government of Goa vide their letter No. 101/65-99-Mines/814 dated 13.4.2000. On examination of this list, it is observed that the lessee did not file applications in form 'J' for renewal of their leases consequent upon the enactment of Goa, Daman & Diu Concessions (Abolition and Declaration as Mining Leases) Act, 1987 and deemed rejected.

It is, therefore, on the basis of information received from the State Government of Goa (Lessor) regarding rejection/surrender of the said mining lease(s) covering an area 68.4600 hec. it is hereby the case is closed and filed from this end.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-299/2001

The following mining lease(s) in respect of Shri Jorge Anibal de Matos Sequira, Mine Owner, village Nirancal, Taluka Ponda, Goa, has been registered in this office for modification as per provisions of the Mines & Minerals (Development and Regulation) Act, 1957, and the rules

Sr No.	Case No.	TC No. & Date	Denomination of the Mine	Location Vill/Tahsil/ District	Mineral	Area in Hects.
1.	Z-496	7 of dt. 21-3-1956	Gogol	Vill: Usgao Tah: Bicholim	Fe/Mn	97.9181
2.	Z-68	29 of dt. 12-6-1950	Calamato-mbz	Vill: Tiurem Tah.: Ponda	Fe/Mn	96.5099
						Total: 194.4280

made thereunder:

1. Case No.	: CML-Z-299
2. TC. No. & Date of lease	: 46 of 1-6-1953
3. Denomination of Mine	: Gungurem Belangal, etc.,
4. Location	: Vill: Nirancal Tal: Ponda Distt: Goa
5. Mineral	: Fe/Mn
6. Area	: 92.3602 Hects.

02. This Office has issued show cause notice(s) to Shri Jorge Anibal de Matos Sequira, Mine owner, Vill: Nirancal, Tah. Ponda, Goa, under rule 6 of Mining Leases (Modification of Terms) Rules, 1956, for modification of the above mining lease(s) vide letter No. CML/Z-299 (TC No. 46/53) dated 14.8.2000 endorsing a copy of this show cause notice(s) to the State Government of Goa, Industries & Mines Deptt, Panjim, Goa (Lessor). The above show cause notice(s) was received by the Lessee.

03. However, this office has received a list of rejected leases from the State Government of Goa vide their letter No. 101/65-99-Mines/814 dated 13.4.2000. On examination of this list, it is observed that the lessee did not file application in form 'J' for renewal of their leases consequent upon the enactment of Goa, Daman & Diu Concessions (Abolition and Declaration as Mining Leases) Act, 1987 and deemed rejected.

It is, therefore, on the basis of information received from the State Government of Goa (Lessor) regarding rejection/surrender of the said mining lease(s) covering an area 92.3602 hec. it is hereby the case is closed and filed from this end.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-496/2001

The following mining lease(s) in respect of Shri Marcos Marcelino Paulo De-Souza, Mine Owner, Goa has been registered in this Office for modification as per provisions of the Mines & Minerals (Development & Regulation) Act, 1957, and the rules made thereunder:-

02. This Office has issued show cause notice(s) to Shri Marcos Marcaline Paulo de-Souza, Goa under rule 6 of Mining Leases (Modification of Terms) Rules, 1956, for Modification of above mining lease(s) vide letter Nos. CML/Z-496 T. C. No. (7/56) and CML/Z-68 T. C. No. (29/50) dated 7-4-2000 endorsing a copy of these show cause notice(s) to the State Govt. of Goa, Industries & Mines Deptt. Panjim, Goa (Lessor). The hearing of above cases was fixed at Goa on 15.5.2000. The lessee did not appear on the date of hearing nor deputed his representative.

03. However, a list from the State Government of Goa vide their letter No. 101/65-99-Mines/814 dt. 13-4-2000 was received intimating the lessee(s) who did not file applications in Form 'J' for renewal of their lease(s) consequent upon the enactment of Goa, Daman & Diu Concessions (Abolition and Declaration as Mining Leases) Act, 1987 and deemed rejected. On examination of this list, it is observed that the above mentioned lease(s) falls under the category of deemed rejection.

It is, therefore, on the basis of information received from the State Government of Goa (Lessor), regarding rejection/surrender of the said mining lease(s) covering total area of 194.4280 hectrs., it is hereby the case is closed and filed from this end.

Nagpur:
Dated the 21-6-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

ORDER

No. CML/Z-545/2001

The following mining lease(s) in respect of Shri Naraina R. X. Amoncar, Mine Owner, village Velguem, Taluka Satari, Goa, has been registered in this office for modification as per provisions of the Mines & Minerals (Development and Regulation) Act, 1957, and the rules made thereunder:

- | | |
|----------------------------|--|
| 1. Case No. | : CML-Z-545 |
| 2. TC. No. & Date of lease | : 5 of 6-2-1957 |
| 3. Denomination of Mine | : Oilcamola-Voril Soddo |
| 4. Location | : Vill: Velguem
Tal: Satari
Distt: Goa |
| 5. Mineral | : Iron |
| 6. Area | : 86.2134 Hects. |

02. This Office has issued show cause notice(s) to Shri Naraina R.X. Amoncar, Mine owner, Vill: Velguem, Tal. Satari, Goa, under rule 6 of Mining Lease (Modification of Terms) Rules, 1956, for modification of the above mining lease(s) vide letter No CML/Z-545/2000 (TC No.5 of 1957) dated 8.5.2000 endorsing a copy of this show cause notice(s) to the State Government of Goa, Industries & Mines Deptt, Panjim, Goa (Lessor). The

hearing of the above lease was held on 26-6-2000 at Goa. During the hearing, neither lessee nor the lessor were present at Goa.

3. The above Show Cause Notice(s) could not be served and returned by postal authorities as the lessee was not traceable. Therefore, this Show Cause Notice was published on 20, 21 & 25th of Feb.' 2001 respectively in the three local newspapers of Goa viz. Daily Tarun Bharat, Daily Nav Hind, and Daily Gomantak. However, no information is received from the lessee.

4. This office has written a letter No. CML/Z-545/2001 dated 21-6-2001 to the Director of Industries & Mines Govt. of Goa, Panjim, requesting therein to confirm whether the aforesaid lease is in operation or expired or rejected and also to furnish the present address of the lessee.

5. The Director of Industries & Mines Wing, Udyog Bhawan, Panjim, has informed vide their letter No. 96/119/87-Mines/1141 dated 24-8-2001 forwarding along with a copy of the order of Secretary, (Mines) vide No. 5/99/89-Mines dated 7-3-1990, that the above mining lease is no longer in existence as the application for renewal was rejected by the Government.

It is, therefore, on the basis of information received from the Directorate of Industries and Mines Goa, the above mentioned mining lease covering an area of 86.2134 hectrs was rejected, so the mining lease case is closed and filed from this end.

Nagpur:
Dated the 17-9-2001.

C. P. Ambesh
Controller of Mining
Leases for India.

Department of Mines

Directorate of Industries & Mines

Order

No. 96/321/88-Mines/2339

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Toliavoili Zambod" for iron and manganese ore granted under title of concession No. 17 dated 29-2-1952 over an area of 94.90 Ha of land situated in Viliena village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987 the above mining concession stood abolished and declared as mining lease under Mines and Minerals (Development and Regulation) Act 1957 and the rules made thereunder.

On 22-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/321/88-Mines/378 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to reconsider the renewal application for disposal on merits and in accordance with law.

The applicants by a notice bearing No. 96/321/88-Mines/6698 dated 25-9-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules 1960.
3. Copy of plan of existing deemed mining lease.
4. Copy of Cadastral survey plan superimposed on deemed lease.
5. Record of rights in Form I & XIV.

As none of the above documents were submitted, a notice bearing No. 96/321/88-Mines/2973 dated 2-3-01 was issued to the applicants fixing the date for personal hearing on 21-3-01 which notice was duly received by the applicants. The applicants however by their letter dated 21-3-2001 requested for 6 months time. The request was duly considered and the matter was adjourned to 4-6-01. the matter was thereafter adjourned to 10-7-01, 28-8-01, 28-9-01, 5-11-01, 10-12-01, 14-1-02, 25-2-02 and finally on 13-4-02. The applicants failed to effect the payments of the outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the application for renewal of mining lease on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have

passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules 1960 has not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules 1960 was issued to the applicants on 25-9-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally, a notice for personal hearing was issued on 2-3-01 which was received by the applicants. However, till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate.

It is also seen from available records that the mining lease is not in operation for the last 24 years. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the valid clearance certificate as required under rule 22 of Mineral Concession Rules, 1960. Since the applicants have failed to produce the same as on date, I have no other alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub-rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 18th March, 2002.

Order

No. 96/315/88-Mines/2340

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Cajucodil Mola" for iron and manganese ore granted under Title of concession No. 96 dated 14-11-52 over an area of 32 Ha of land situated in Villiena/Bati village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987, the above mining concession stood abolished and declared as mining lease under Mines and Minerals (Development and Regulation) Act 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/315/88-Mines/367 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by

an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance with law.

The applicants by a notice bearing No. 96/315/88-Mines/7280 dated 12-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules 1960.
3. Copy of plan of existing deemed mining lease.
4. Copy of cadastral survey plan superimposed on deemed lease.
5. Article of Memorandum.

As none of the above documents were submitted, a notice bearing No. 96/315/88-Mines/2999 dated 5-3-01 was issued to the applicants fixing the date for personal hearing on 28-3-01 which notice was duly received by the applicants on 12-3-01. The applicants however by their letter dated 28-3-01 requested for 6 months time. The request was duly considered and the matter was adjourned to 30-4-01. On 30-4-01, the applicants moved another application and sought some more time to produce the valid clearance certificate. The matter was adjourned to 4-6-01, 10-7-01, 20-8-01, 24-9-01, 15-10-01, 12-11-01, 26-11-01, 7-1-02, 25-2-02 and finally on 13-3-02. In spite of sufficient time even as on date, the applicants failed to clear the outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-97 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules 1960 was issued to the applicants on 12-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally a notice

for personal hearing was issued on 5-3-01 which was received by the applicants. However till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. Further it is also seen from available record that the mining lease is not in operation for the last 39 years. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules 1960. Since the applicants have failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub-rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 18th March, 2002.

Order

No. 96/328/88-Mines/2344

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Dobacho Dongor" for iron and manganese ore granted under Title of concession No. 70 dated 31-7-53 over an area of 22.20 Ha of land situated in Netorlim village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987, the above mining concession stood abolished and declared as mining lease under Mines and Minerals (Development and Regulation) Act 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/328/88-Mines/375 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-90. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance with law.

The applicants by a notice bearing No. 96/328/88-Mines/7527 dated 16-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules 1960.
3. Copy of plan of existing deemed mining lease.
4. Copy of cadastral survey plan superimposed on deemed lease.
5. Record of Rights in Form I and XIV
6. Articles of Memorandum.

As none of the above documents were submitted, a notice bearing No. 96/328/88-Mines/2946 dated 28-2-01 was issued to the applicants fixing the date for personal hearing on 16-3-01 which notice was duly received by the applicants on 12-3-01. The applicants however by their letter dated 16-3-01 requested for 6 months time. The matter was however adjourned to 20-4-01. On 17-4-01, the applicants sought some more time to produce valid clearance certificate. The matter was thereafter adjourned to 22-5-01, 27-6-01, 27-8-01, 17-9-01, 29-10-01, 29-11-01, 7-1-02, 25-2-02 and finally on 13-3-02. In spite of sufficient time even as on date, the applicants failed to clear the outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules 1960 was issued to the applicants on 16-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally a notice for personal hearing was issued on 28-2-01 which was received by the applicants. However till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. Further it is also seen from available record that the mining lease is not in operation for the last 25 years. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit

the documents as required under rule 22 of Mineral Concession Rules 1960. Since the applicants have failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 19th March, 2002.

Order

No. 96/270/88-Mines/2345

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Margatcho Soddo" for iron and manganese ore granted under Title of concession No. 29 dated 12-6-59 over an area of 100.00 Ha of land situated in Calem village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act 1987, the above mining concession stood abolished and declared as mining lease under Mines and Minerals (Development and Regulation) Act 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/270/88-Mines/379 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-90. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance with law.

The applicants by a notice bearing No. 96/270/88-Mines/7529 dated 16-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.

2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules 1960.
3. Copy of plan of existing deemed mining lease.
4. Copy of cadastral survey plan superimposed on deemed lease.
5. Articles of Memorandum.
6. Records of Rights in Form I and XIV

As none of the above documents were submitted, a notice bearing No. 96/270/88-Mines/2974 dated 2-3-01 was issued to the applicants fixing the date for personal hearing on 21-3-01. The applicants however by their letter dated 21-3-01 requested for 6 months time. The request was duly considered and the matter was adjourned to 28-4-01. On 31-5-01 the applicants sought some more time to produce the valid clearance certificate. The matter was thereafter adjourned to 11-6-01, 10-7-01, 20-8-01, 29-9-01, 15-10-01, 12-11-01, 26-11-01, 7-1-02, 25-2-02 and finally on 13-3-02. In spite of sufficient time even as on date, the applicants failed to clear the outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set

aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules 1960 was issued to the applicants on 16-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally a notice for personal hearing was issued on 2-3-01 which was received by the applicants. However till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. Further it is also seen from available record that the mining lease is not in operation for the last 27 years. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules 1960. Since the applicants have failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub-rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 19th March, 2002.